

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

GREG JOHNSON,

Plaintiff,

v.

DARRELL WIREMAN, et al.,

Defendants.

CIVIL ACTION NO. 1:15-cv-02254

(SAPORITO, M.J.)

**ORDER**

AND NOW, this 27<sup>th</sup> day of March, 2019, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The defendants' motion in limine (Doc. 54) is **GRANTED in part and DENIED in part**;

2. The plaintiff's claims for declaratory and injunctive relief are **DISMISSED as moot**, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;

3. The plaintiff's RLUIPA claim for damages against the Pennsylvania Department of Corrections (Count I) is **DISMISSED** for lack of subject matter jurisdiction, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure;

4. The plaintiff's RFRA claim for damages against the individual

defendants (Count II) is **DISMISSED** for failure to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1) and 42 U.S.C. § 1997e(c)(1);

5. The plaintiff's § 1983 claims for damages against Morris L. Houser and James Eckard (Counts III, IV, and V) are **DISMISSED** as legally frivolous and for failure to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1) and 42 U.S.C. § 1997e(c);

6. The Clerk is directed to enter **JUDGMENT** in favor of Darrell Wireman, Ulrich Klemm, Shawn Kephart, and Tabb Bickell and against the plaintiff with respect to the plaintiff's § 1983 claims for damages against them (Counts III, IV, and V), pursuant to Rule 58 of the Federal Rules of Civil Procedure;

7. The plaintiff's motion for writs of habeas corpus ad testificandum (Doc. 69) and the defendants' motion for summary judgment on qualified immunity (Doc. 83) are **DENIED as moot**; and

7. The Clerk is directed to **CLOSE** this case.

***s/Joseph F. Saporito, Jr.***  
JOSEPH F. SAPORITO, JR.  
United States Magistrate Judge